

# Frequently Asked Questions about Northern Spotted Owl Recovery

## Critical Habitat for the Northern Spotted Owl:

### What is critical habitat designation?

The most significant provision of the Endangered Species Act is that all listed species are protected from “take” (meaning to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct). Two other major provisions supplement “take” protections to help listed species rebound. These are recovery plans and critical habitat designations.

Critical habitat designations do not establish specific land management standards or prescriptions. Designations do not affect land ownership or establish a refuge, wilderness, reserve, preserve, sanctuary, or any other conservation area where no land management occurs. Critical habitat areas can be actively managed in ways that support species recovery.

In developing a critical habitat proposal, the U.S. Fish and Wildlife Service first identifies areas within the range of a species at the time it is listed that have the physical or biological features essential for the conservation of a species and that may require special management. We seek public review and comments when critical habitat designations are proposed.

Proposed critical habitat designations are often larger than final ones because other factors are taken into account to refine proposals before they are finalized. After identifying areas essential for the conservation of the species and that may require special management, we consider factors such as the economic impacts of proposals and conservation measures already in place that may preclude the need for designating certain areas.

Federal agencies must avoid activities that jeopardize listed species and must ensure any action they authorize, fund, or carry out does not destroy or adversely modify areas of designated critical habitat. Federal agencies are required to consult with the U.S. Fish and Wildlife Service on proposed actions that could affect a listed species or its critical habitat. In cases where proposed actions would harm a species or its critical habitat, we work with the involved agency to develop “reasonable and prudent” alternatives so a project may go forward. (Also see: [“How does the northern spotted owl critical habitat designation affect federal lands?”](#))

A critical habitat designation that includes private or other non-federal lands has no direct effect on land uses unless there is a federal connection, such as an activity that is funded or permitted by a federal agency. However, identifying non-federal lands that are essential to the conservation of a species informs state and local government agencies and private landowners of the value of the habitat and may help facilitate voluntary conservation partnerships such as Safe Harbor agreements and Habitat Conservation Plans. (Also see: [“How does the northern spotted owl critical habitat designation affect non-federal lands?”](#) for more information.)

### What criteria are used to select areas to be designated as critical habitat?

A critical habitat designation identifies areas within the range of a species at the time it is listed that have the physical or biological features essential for the conservation of a species and that may require special management. For the northern spotted owl, for example, these features include particular forest types of sufficient area, quality, and configuration to support the needs of territorial owl pairs throughout the year distributed across the species’ range, including habitat for nesting, roosting, foraging, and dispersal.

### What is the status of the northern spotted owl’s critical habitat designation?

The northern spotted owl's current (2008) critical habitat designation is being revised (also see: "[Why is the northern spotted owl critical habitat designation being revised?](#)"). The U.S. Fish and Wildlife Service issued a revised critical habitat proposal on February 28, 2012 and is under a court-ordered deadline to finalize a revised critical habitat designation by November 15, 2012.

In 1991, a year after the spotted owl was listed under the Endangered Species Act, we proposed 11.6 million acres of critical habitat in Washington, Oregon, and California on federal, state, tribal, and private lands. That proposal was refined, and in 1992 we finalized a critical habitat designation of 6.9 million acres of critical habitat, all on federal lands. (It is not uncommon for final critical habitat designations to be significantly refined from what is initially proposed because of additional factors that are taken into account after the identification of lands essential for the conservation of the species and that may require special management. These factors include economic impacts and conservation agreements already in place that may preclude the need to designate certain areas.)

In 2007, we proposed a revised critical habitat designation of 5.3 million acres, all on federal lands. In 2008, we finalized that proposal. Shortly thereafter, we were litigated on that critical habitat designation, leading to the current effort to revise it to resolve legal and scientific concerns.

### **Why is the northern spotted owl critical habitat designation being revised?**

Both the original 2008 northern spotted owl recovery plan and the 2008 revised critical habitat designation were challenged in court shortly after they were completed. In addition, in December 2008, the Inspector General of the Interior Department issued a report concluding that the integrity of the decision-making process for the recovery plan was potentially jeopardized by improper political influence. As a result, in July 2009, the federal government requested voluntary remand of the 2008 recovery plan and revised critical habitat designation. In September 2010, the court issued an opinion remanding the 2008 recovery plan to the U.S. Fish and Wildlife Service for issuance of a revised plan within nine months (by June 1, 2011, but this deadline was later extended until July 1, 2011). The court subsequently ordered the U.S. Fish and Wildlife Service to propose a revised critical habitat designation by November 15, 2011 (this was later extended until February 28, 2012) and a final one by November 15, 2012.

### **How does the northern spotted owl critical habitat designation affect federal lands?**

In areas where northern spotted owls occur, federal agencies consult with the U.S. Fish and Wildlife Service on the potential effects of their proposed actions on spotted owls by virtue of it being a listed species, regardless of whether these lands are designated critical habitat.

Areas designated as critical habitat receive added protection. The Endangered Species Act requires federal agencies to ensure that any action they fund, authorize, or carry out is not likely to jeopardize the continued existence of any listed species or result in the destruction or adverse modification of its critical habitat.

The consultation process is the mechanism for ensuring that "jeopardy" to a species or destruction or "adverse modification" of its critical habitat does not occur. Federal agencies must enter into consultation with the U.S. Fish and Wildlife Service when their proposed actions could affect a listed species or its critical habitat.

We then make a finding, called a biological opinion, on both the effect on the species and its critical habitat (unless the species does not have designated critical habitat, in which case we only address the effect on the species). For the species, we specifically say that the project will or will not jeopardize the continued existence of the species. For critical habitat (if designated), we specifically say that the project will or will not destroy or adversely modify designated critical habitat. If we find either jeopardy or adverse modification to be likely, we negotiate "reasonable and prudent alternatives" so that a project may go forward.

The consultation process allows agencies to work together proactively to tailor actions to achieve agency goals without increasing threats to listed species. Most federal projects are likely to move ahead, but some will be modified to minimize harm to the species and its critical habitat.

For example, based on consultation records over the last three years in Oregon, we consulted with other federal agencies on about 50 projects per year, about 20 of which were forest management projects by the U.S. Forest Service and Bureau of Land Management, and none of them resulted in a “jeopardy” biological opinion. Of these, about nine per year contained critical habitat.

The U.S. Fish and Wildlife Service does not recommend that spotted owl critical habitat areas be set aside and left alone. For the spotted owl, we strongly support active forest management where appropriate, even in critical habitat areas, if it helps restore overall forest health. Many Pacific Northwest forests are out of balance due to an interaction of natural and human influences. In the drier and diseased forests, we support aggressive intervention to protect older trees, reduce unnatural fire risk, and better manage insect outbreaks. In the moist forests west of the Cascade Mountains, we support thinning and patchy regeneration harvests that mimic natural forest processes and provide good wildlife habitat.

One of the main recommendations in the spotted owl recovery plan is active management to restore forest ecosystem health and resilience to climate change, wildfire, and insect infestations. This can involve an “ecological forestry” management practices in certain areas, which may include carefully applied prescriptions such as fuels treatment to reduce the threat of severe fires, thinning to help older trees grow faster, and restoration to enhance habitat and return the natural dynamics of a healthy forest landscape. Some additional timber output can be expected from these types of forest prescriptions.

#### **How does the northern spotted owl critical habitat designation affect non-federal lands?**

All species listed under the Endangered Species Act are protected from “take” anywhere they occur (“take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct). Critical habitat designations do not provide additional protection for a species on non-federal lands unless any proposed land uses involve federal funding or permitting. If there is a federal connection, the federal agency responsible for issuing a permit or providing funding must enter into consultation with the U.S. Fish and Wildlife Service to ensure a proposed action does not jeopardize the listed species or adversely modify its critical habitat (see: [“How does the northern spotted owl critical habitat designation affect federal lands?”](#) for further explanation of the consultation process).

For the current critical habitat proposal, we are proposing to exclude several categories of land from the final designation, including state and private lands which are already managed for conservation. When a critical habitat designation includes non-federal lands but there is no federal connection, there is no direct effect on landowners, but the designation serves to inform state and local government agencies and private landowners as to the value of the habitat. For that reason, a critical habitat designation may help facilitate voluntary conservation partnerships such as Safe Harbor agreements and Habitat Conservation Plans. There are currently five Safe Harbor agreements for the northern spotted owl—two in Washington, one (statewide) in Oregon, and two in northern California. There are currently 12 Habitat Conservation Plans for the spotted owl: six in Washington covering more than 2 million acres, two in Oregon covering 200,000 acres, and four in California covering more than 200,000 acres.

A Safe Harbor is a voluntary agreement between the U.S. Fish and Wildlife Service and a private landowner. Safe Harbors are area- and species-specific, though they sometimes cover more than one species with similar habitat needs. Safe Harbors encourage private landowners to carry out habitat conservation measures on their land to benefit listed species. In exchange, the U.S. Fish and Wildlife Service provides assurances that future land use restrictions will not be imposed if the species is then attracted to the site. This provides landowners with more certainty for their land use planning.

Under Safe Harbors, some “incidental take” of individual species may potentially occur in return for the landowner’s commitment to conservation measures that contribute to the species’ population overall. (“Incidental take” refers to take that occurs as an indirect, unintended result of an otherwise lawful activity. The U.S. Fish and Wildlife Service can authorize such take through a special permit process—a key part of Safe Harbor agreements and Habitat Conservation Plans.)

Similarly, Habitat Conservation Plans are for non-federal landowners, usually government agencies, private organizations, or businesses, whose otherwise lawful activities are expected to occasionally result in incidental take of a listed species. We work with these landowners to develop provisions for monitoring, minimizing, and mitigating for potential incidental take.

Because more than two-thirds of all listed species live all or part of their lives on privately owned land, non-federal landowners are often important partners in endangered species recovery.

### **More information on the proposed critical habitat designation:**

#### **What action is the U.S. Fish and Wildlife Service taking?**

The U.S. Fish and Wildlife Service is revising the 2008 critical habitat designation for the northern spotted owl because that designation was challenged in court and considered insufficient. The current proposal encompasses areas considered essential to the conservation of the spotted owl and that may require special management. We have already taken the step of proposing to exclude several categories of land from the final critical habitat designation, including approximately 4 million acres of state lands, private lands, and federal lands—such as national parks and wilderness areas—much of which is already managed for conservation.

We also will use public and stakeholder feedback, as well as the information from an economic analysis, to assess additional areas for exclusion from the remaining approximately 10 million acres that are initially eligible for potential critical habitat designation. It is expected that as a result of these additional exclusions, the size of the final designation would be reduced further. (Also see: [“Why does the U.S. Fish and Wildlife Service propose critical habitat in areas that are likely to be excluded in the final designation?”](#))

Over the last 20 years, spotted owl habitat has been identified and managed as the 7.4 million acres of late-successional reserve lands under the 1994 Northwest Forest Plan and two previous critical habitat designations (6.9 million acres of federal lands designated in 1992 and 5.3 million acres of federal lands designated in 2008). All of these were distributed across the geographic range of the spotted owl, including the Olympic Peninsula; the Cascade Mountains of Washington, Oregon, and northern California; the Coast Ranges in Oregon and California; and the Klamath Provinces in Oregon and California.

#### **Are there opportunities for public review and comment on the critical habitat proposal?**

Yes. The U.S. Fish and Wildlife Service encourages anyone with an interest in northern spotted owl recovery to provide comments on the critical habitat proposal. A 90-day public review and comment period began on March 8, 2012, when the spotted owl critical habitat proposal was published in the *Federal Register*. The U.S. Fish and Wildlife Service seeks public review and comments whenever critical habitat designations are proposed. The Endangered Species Act’s requirements for the critical habitat process are rigorous, providing for a full evaluation of economic impacts of proposed designations, thorough scientific review, and extensive public involvement.

We want to ensure there is ample time to review and provide comments on both the critical habitat proposal and an economic analysis that will be made available for at least a 30-day public comment period in May 2012. The critical habitat proposal will continue to be available for public review and comment during the comment period on the economic analysis.

In addition, we intend to hold at least three public information meetings on this critical habitat proposal; at least one in each of the three states within the spotted owl's range. We will announce specific meeting locations and times in local news media outlets and on this website once they are arranged.

Comments on the critical habitat proposal can be provided two ways:

- Electronically: Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. In the Keyword box, enter Docket No. FWS–R1–ES–2011–0112, which is the docket number for this rulemaking. Then, in the Search panel on the left side of the screen, under the Document Type heading, click on the Proposed Rules link to locate this document. You may submit a comment by clicking on “Send a Comment or Submission.”
- By hard copy: Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS–R1–ES–2011–0112; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042–PDM; Arlington, VA 22203.

### **How were the specific areas selected as proposed critical habitat?**

According to the Endangered Species Act, a critical habitat designation is for land within the range of a species at the time it is listed that has the physical or biological features essential for the conservation of a species and that may require special management. For the northern spotted owl, these features include particular forest types of sufficient area, quality, and configuration to support the needs of territorial owl pairs throughout the year distributed across the species' range, including habitat for nesting, roosting, foraging, and dispersal.

The U.S. Fish and Wildlife Service took a new approach in developing this critical habitat proposal. We integrated habitat and demographic information (relating to occupancy, survival, reproduction, and movement) to develop a modeling tool that assesses habitat quality and population dynamics across the range. This gives us a more accurate picture of where high quality spotted owl habitat still exists. It synthesizes more than 20 years' worth of data from on-the-ground demographic surveys. All this information combined allows us to evaluate how spotted owl populations would fare under different habitat conservation scenarios. This ultimately provides an improved tool for determining what areas are in most need of special management to recover the owl. The modeling tool also can take into account different levels of barred owl impacts on spotted owl populations.

The main objectives we considered in identifying the proposed critical habitat designation were:

- Ensure sufficient habitat to support stable, healthy populations across the range, and also within each of the 11 recovery units;
- Ensure distribution of spotted owl populations across the range of habitat conditions used by the species;
- Incorporate uncertainty, including potential effects of barred owls, climate change, and wildfire disturbance risk; and
- Recognize that these protections are meant to work in concert with other recovery actions, such as barred owl management.

### **Why is this proposed critical habitat designation different from previous ones?**

Today's proposal is based on the current status and recent scientific research on spotted owl populations. Especially in recent years, leading scientists have consistently recommended further habitat protection for the spotted owl in light of its continued decline (the overall population is declining at a rate of 2.9 percent per year). They also have emphasized the importance of doing so in the short term as recovery partners evaluate approaches for managing competition from the encroaching barred owl.

Recent science affirms the need to conserve larger areas of habitat to save the spotted owl. This was demonstrated through two scientific peer review processes—on the 2008 and 2011 spotted owl recovery plans—and in recent studies by leading spotted owl researchers. (For example, Forsman et al. 2011 “Population Demography of Northern Spotted Owls,” and Dugger et al. 2011 “Transient Dynamics of Invasive Competition: Barred Owls, Spotted Owls, Habitat, and the Demons of Competition Present.”)

Another reason the current critical habitat proposal is different is because it initially identifies about 2.6 million acres of Congressionally protected areas of suitable spotted owl habitat that were not included in previous critical habitat proposals or final designations. Congressionally reserved areas include lands with designations that prevent timber harvest, as well as other federal lands which are not administered by U.S. Forest Service or Bureau of Land Management. These other lands include national parks and monuments, wilderness areas, wild and scenic rivers, and national wildlife refuges. Many of these areas are proposed for exclusion because their management already promotes spotted owl conservation.

In addition, the current proposal includes state and private lands that were not previously designated critical habitat. This is in line with recommendations in the spotted owl recovery plan to consider ways to facilitate additional habitat protection in areas where federal lands are limited. For example, the current critical habitat proposal identifies areas where we would like to work with state and private landowners on partnerships such as voluntary Safe Harbor agreements and Habitat Conservation Plans. We propose to exclude many of the state and private lands included in the proposal when we finalize the spotted owl critical habitat designation because of existing conservation partnership agreements that sustain spotted owl habitat. (Also see: "[Why does the U.S. Fish and Wildlife Service propose critical habitat in areas that are likely to be excluded in the final designation?](#)")

### **Why does the U.S. Fish and Wildlife Service propose critical habitat in areas that are likely to be excluded in the final designation?**

Critical habitat proposals are often larger than final critical habitat designations. This is because the Endangered Species Act requires the U.S. Fish and Wildlife Service to start by identifying all areas essential to the conservation of a species and that may require special management, and then to take other factors into consideration to refine proposals before critical habitat designations are finalized.

Final critical habitat designations are refined by taking into account:

- The economic impacts of proposed designations,
- Conservation efforts already in place that could preclude the need for designating certain areas,
- Scientific peer review,
- Other public comments.

We will be using such additional information to evaluate and refine the current spotted owl critical habitat proposal. An economic analysis will be made available for public review and comment for at least 30 days in May 2012. We also propose to exclude Congressionally reserved lands and state and private lands currently managed to sustain spotted owl habitat (such as those covered under voluntary Safe Harbor agreements and Habitat Conservation Plans) in the final critical habitat designation. We are working with leading scientific organizations to obtain a thorough peer review of the proposal. We will consider all public comments we receive on the proposal and the economic analysis before finalizing the spotted owl's critical habitat designation.

### **How will critical habitat lands be managed?**

The Endangered Species Act does not require that critical habitat areas be set aside and left alone; they can and should be actively managed to promote the health of ecosystems. For the northern spotted owl, for example, the U.S. Fish and Wildlife Service strongly supports active forest management where appropriate, even in critical habitat areas, if it helps restore overall forest health. We maintain that what's good for the ecosystem is good for the spotted

owl. We work in close coordination with the U.S. Forest Service and Bureau of Land Management since most spotted owl critical habitat is on lands these agencies manage.

One of the main recommendations in the spotted owl recovery plan is active management to restore forest ecosystem health and resilience to climate change, wildfire, and insect infestations. Many Pacific Northwest forests are out of balance due to an interaction of natural and human influences. In the drier and diseased forests, we support aggressive intervention to protect older trees, reduce unnatural fire risk, and better manage insect outbreaks. In the moist forests west of the Cascade Mountains, we support thinning and patchy regeneration harvests that mimic natural forest processes.

One kind of active management that the Forest Service and BLM are applying in certain areas is “ecological forestry.” This approach may include carefully applied prescriptions such as fuels treatment to reduce the threat of severe fires, thinning to help older trees grow faster, and restoration to enhance habitat and return the natural dynamics of a healthy forest landscape.

One reason we support ecological forestry management practices is they provide forest managers flexibility in designing timber harvest activities that are compatible with spotted owl conservation. The ecological forestry approach involves precise forest treatments that allow select timber harvest as part of broader efforts to restore forest health. At times, this may mean a short term loss of individual spotted owls in exchange for a long term gain in the quantity and quality of habitat for the spotted owl population.

#### **What is the likely economic impact of the critical habitat proposal?**

The critical habitat proposal affirms basic recommendations of the northern spotted owl recovery plan: conserve the older forests occupied by spotted owls wherever they occur on federal lands, and actively manage forests to restore ecosystem health in many of the parts of the species’ range.

Critical habitat should have relatively minor economic impacts on timber harvest on federal lands for two reasons.

First, the harvest of many older forests, including areas in “matrix” lands that were established for timber production under the 1994 Northwest Forest Plan, is highly controversial. Timber harvest in these areas is often stalled or precluded by litigation challenges for a variety of concerns independent of spotted owl recovery issues. The critical habitat proposal includes many of these already encumbered or controversial areas, and thus is not expected to create additional impacts in such areas.

Second, the proposal encourages “ecological forestry” management practices within critical habitat when it promotes forest restoration and ecosystem health. Many Pacific Northwest forests are out of balance due to an interaction of natural and human influences. In the drier and diseased forests, we support intervention to protect older trees, reduce unnatural fire risk, and better manage insect outbreaks. In the moist forests west of the Cascade Mountains, we support thinning and patchy regeneration harvests that better mimic natural forest processes. Application of such science-based forest treatments could provide significant economic and employment opportunity in many areas and should generally be compatible with the goals of spotted owl recovery. It may also reduce the potential for litigation of some timber harvest proposals that apply these methods.

The U.S. Fish and Wildlife Service will be contracting with economics experts to develop a thorough economic analysis on the critical habitat proposal, which will evaluate timber harvest-related and other potential economic impacts. This report will be made available in May 2012 for public review and comment period prior to our finalization of the spotted owl critical habitat designation. The Endangered Species Act requires us to start by identifying all areas essential to the conservation of a species and that may require special management, and then to take other factors, such as economic impacts, into consideration to refine proposals before critical habitat designations are finalized.

#### **Where are the proposed 11 critical habitat units located?**

To establish critical habitat units, the range of the northern spotted owl was divided into 11 regions based on degree of similarity of structural characteristics of spotted owl habitat within each region, latitudinal patterns of topography and climate, and regional differences in forest ecosystems. Each critical habitat unit is composed of the proposed critical habitat within each individual region. The eleven critical habitat units include:

<b>Region</b>
1. North Coast Olympics (WA/OR)
2. Oregon Coast Ranges (OR)
3. Redwood Coast (CA)
4. West Cascades North (WA)
5. West Cascades Central (WA)
6. West Cascades South (WA/OR)
7. East Cascades North (WA/OR)
8. East Cascades South (OR/CA)
9. Klamath West (OR/CA)
10. Klamath East (OR/CA)
11. Inner California Coast Ranges (CA)

**Why do the proposed critical habitat areas on state and private lands vary in different parts of the northern spotted owl’s range?**

Protecting habitat on federal lands has been the focus of recovery efforts since the spotted owl was listed in 1990. In more recent years the sufficiency of conserving habitat primarily on federal lands has been increasingly questioned. Certain areas on non-federal lands can (and do) play an important role in recovery, especially through voluntary conservation partnerships such as Safe Harbor agreements and Habitat Conservation Plans. As recommended in the spotted owl recovery plan, we want to maximize our collaborative efforts with valuable conservation partners such as state agencies and private forest landowners, especially in areas of limited public land ownership.

Federal lands still comprise the majority of the current critical habitat proposal, but some state and private lands are also identified among the areas essential to the conservation of the spotted owl. We attempted to maximize reliance on public lands, looking first to federal lands and secondarily to state lands. We incorporated private lands only when we considered that federal and state lands may be insufficient to meet the spotted owl’s recovery needs. In some areas of limited federal land ownership, state and private lands have a vital role to play in contributing to habitat connectivity, which facilitates dispersal and colonization, key factors in achieving an adequate population distribution.

Many of the state and private lands identified in the current proposal may be excluded in our final critical habitat designation. This is because of conservation measures already in place, such as Safe Harbor agreements and Habitat Conservation Plans support spotted owl recovery, precluding the need to designate some areas.

**Why were no tribal lands included in the critical habitat proposal?**

American Indian tribal governments are sovereign nations with inherent powers of self-governance. The U.S. Fish and Wildlife Service recognizes that many Northwest tribes have long worked to conserve and monitor northern spotted owls on their lands, making valuable contributions to recovery. These efforts have supported forest conservation and maintained tribal cultural values.

Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, outlines the policies and responsibilities of the federal government in matters affecting tribal interests (confirmed by Presidential Memorandum; 74 FR 57879; in 2009). In addition to the Executive Order, Interior Secretarial Order 3206 states that Indian lands shall not be designated as critical habitat, nor areas where the “tribal trust resources ... or the exercise of tribal rights” will be impacted, unless such lands or areas are determined “essential to conserve a listed species”

(the main criteria for critical habitat designations). In such cases we “shall evaluate and document the extent to which the conservation needs of the listed species can be achieved by designating only other lands.”

We determined that excluding tribal lands from the critical habitat designation would have the benefit of promoting federal policies regarding tribal sovereignty and self-governance and promote a positive working relationship between the U.S. Fish and Wildlife Service and the tribes, with a very small reduction in the benefits of designation. We are committed to our ongoing collaborative efforts that advance the mutual conservation goals of the U.S. and tribal governments.

### **Which areas of the proposed critical habitat are presently occupied by northern spotted owls?**

Critical habitat designations are defined in the context of lands occupied at the time of listing under the Endangered Species Act. We consider all of the areas included in the current northern spotted owl critical habitat proposal to be occupied at time the species was listed in 1990. This is based on surveys and monitoring of known spotted owl territories that cover these lands. We believe spotted owls inhabit all but one of the 63 sub-units of today’s proposed critical habitat, although the barred owl’s encroachment into the spotted owl’s range and its subsequent expansion have caused some areas to be more sparsely occupied than previously. (The one unoccupied sub-unit that is included in the proposal, on Joint Base Lewis-McChord military base in Washington, is a potentially significant stepping stone for dispersing spotted owls.)

### **What is the relationship between the proposed critical habitat areas and the reserve areas established by the Northwest Forest Plan?**

The overall footprint of the Northwest Forest Plan, about 24 million acres in Washington, Oregon, and California, is the U.S. range of the northern spotted owl. The plan provides for the conservation of many late-successional forest-dependent species that live within the same area (late-successional forests are dominated by stands of mature and old growth age classes of trees.) On federal lands within the overall footprint, the Northwest Forest Plan established two main land classifications: late-successional reserves to be managed for conservation and “matrix” lands to be managed primarily for timber production. The Northwest Forest Plan footprint also includes other reserve lands established separately by Congress, such as national parks and wilderness areas.

All areas of spotted owl critical habitat on federal lands (past designations and current proposed areas) overlay Northwest Forest Plan lands. The Northwest Forest Plan has no effect on federal agencies’ requirement to consult with the U.S. Fish and Wildlife Service on proposed actions that may affect the spotted owl population or adversely modify its critical habitat (also see: [\*\*How does the northern spotted owl critical habitat designation affect federal lands?\*\*](#))

In general, forest management in late-successional reserves must be neutral or beneficial to late-successional species. When these areas are overlaid by critical habitat, management is expected to follow guidelines from the Northwest Forest Plan and recommendations from the spotted owl recovery plan. In most cases there is little difference between the two.

When critical habitat overlays matrix lands, timber harvest is expected to be consistent with the spotted owl recovery plan, taking into account its strong recommendations to protect spotted owl occupied sites and high quality habitat. One reason we support “ecological forestry” management practices is they provide forest managers flexibility in designing timber harvest activities that are compatible with spotted owl conservation over the long term. The ecological forestry approach involves precise forest treatments that allow select timber harvest as part of broader efforts to restore the health and natural dynamics of forest ecosystems. This may involve fuels treatment to reduce the risk of catastrophic wildfire, disease outbreaks, and insect infestations, and careful thinning to help older trees grow faster.

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